

Chesapeake Bay Local Assistance Board
Local Program Review Committee for the Northern Area
Department of Conservation and Recreation
101 N. 14th Street, 17th Floor, James Monroe Building
Richmond, Virginia
Tuesday, October 26, 2004

DRAFT MINUTES

NARC Members Present

Mr. Donald W. Davis
Mr. Walter J. Sheffield

Mr. William E. Duncanson

NARC Members Not Present

Mr. David L. Bulova

DCR Staff Present

Mr. C. Scott Crafton, Director, Division of Chesapeake Bay Local Assistance
Ms. Martha Little, Chief of Environmental Planning
Ms. Shawn Smith, Principal Environmental Planner
Ms. Heather Mackey, Principal Environmental Planner
Ms. Nancy Miller, Senior Environmental Planner
Mr. Michael Fletcher, Director of Development

Local Government Officials Present

Caroline County

Mr. Matt Stafford, Director of Planning

Prince William County

Mr. Wade Hugh

Town of Herndon

Ms. Michelle O'Hare

Town of Tappahannock

Mr. Jimmy Sydnor, Assistant Town Manager

Others Present

Ms. Kim Hosen, Prince William Conservation Alliance

Call to Order and Opening Remarks

Chairman Davis called the meeting to order and called the role. A quorum was declared present. Mr. Davis recognized Mr. Crafton for remarks.

Mr. Crafton noted that Mr. Maroon was not able to attend the meeting due to a schedule conflict.

Mr. Crafton said that the Board retreat will be held at Westmoreland State Park on November 18th, beginning at 9:30 a.m. Members wishing to contribute discussion items should forward those to Mr. Crafton. Additional details will be mailed to members.

Mr. Crafton clarified that the date for the December meeting is Monday, December 13th. A Richmond location is planned.

Local Program Reviews – Phase I

Ms. Mackey presented the following summary for the Town of Clifton. She noted that no one was present from the Town of Clifton.

The Town of Clifton originally adopted its Phase I program in July 1995. The Board found it consistent in December 1995. Department staff provided comments on changes necessary to the Town's ordinance in March 2002 and August 2003. The Town Council adopted revisions to the ordinance on December 2, 2003 that were found to be consistent with the requirements of the regulations by Department staff.

The Town's revised Chesapeake Bay ordinance addresses all of the required changes including revisions to definitions, RPA designation language, site-specific RPA delineation requirements and the requirement for a formal exception process for all RPA exception requests. The Town chose to administer the RPA exceptions through their Planning Commission. The Town retained its original CBPA designation, which includes an RPA adjacent to all known streams in the Town, with the balance of the Town as an RMA. There are no IDAs in the Town.

Staff recommended the local program amendments adopted by the Town of Clifton on December 2, 2003 be found consistent with the requirements of the Act and Regulations.

MOTION: Mr. Duncanson moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board the Town of Clifton's amended Phase I Program be found consistent with § 10.1-2109 of the Act and § 9VAC 10-20-60.1 and 2 of the Regulations.

SECOND: Mr. Sheffield.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Ms. Mackey presented the following summary for the City of Alexandria. She noted that William Skrabak, of the City's Division of Environmental Quality was not able to be at the meeting. She also noted that Board member David Bulova serves as a consultant to the City of Alexandria but was unable to attend the meeting. Both gentlemen offered their availability via cell phone should the need arise.

The City of Alexandria adopted its Phase I program in December 1992. The Board found the City's program consistent in August 1993. While considering the required amendments to their ordinance, the City had several policy decisions to make that hinged upon the extent of the perennial stream network in the City. They decided to evaluate the entire network through an identification and mapping project for all water bodies with perennial flow. This project was completed in November 2003. Because the need for stream assessment data delayed several key policy decisions, the City requested and was granted an extension to June 30, 2004 of the Board imposed December 31, 2003 deadline for Phase I revisions. Department staff and the City's consultant worked extensively on this effort with Department staff providing comments on proposed revisions several times between January 2003 and April 2004. Alexandria's City Council adopted a final revised Bay Act ordinance on June 12, 2004.

The stream assessment study that delayed ordinance adoption actually resulted in an increase in RPA for the City as well as the identification of 9 intermittent stream segments protected with a 50 foot buffer under the "other lands" provision of the Regulations. The City has a jurisdiction-wide RMA and has not designated any IDAs. The City's adopted ordinance addresses most of the required changes including revisions to definitions, RPA designation language, the site-specific RPA delineation requirements, and the requirement for a formal process for all RPA exceptions through the Planning Commissions; however, there is one recommendation for consistency.

Section 13-118, Non-complying land uses and structures, subsection (B) vests those proposed land uses or structures for which an applicant has filed a complete application for a preliminary site plan, subdivision plan, etc. prior to February 23, 2004. The policy states that those vested land uses or structures may be constructed in accordance with the original ordinance, except that they shall comply with any new requirements to the maximum extent practicable. The Department has consistently advised local governments that in order to be fully compliant with the Code of Virginia with regard to the vesting of rights, the language needs to refer to approval of a site plan, building permit, etc., rather than the "filing of a complete application" as the Alexandria code language is currently written. Therefore, the City is asked to amend their ordinance language accordingly.

In conclusion, the basic requirements of Alexandria's Chesapeake Bay program are in place, and this change will not prohibit the City for implementing their program as intended. Staff recommended that the Alexandria Bay Act ordinance be found consistent provided the City undertake and complete the recommendation identified in the staff report by December 31, 2005.

Mr. Davis noted that it was interesting that the City identified intermittent streams and established a 50-foot buffer. He asked if this was unusual.

Ms. Mackey noted that it was likely to protect the streams they have identified.

Mr. Crafton noted that Henrico adopted a similar requirement with the hopes of promoting the restoration of streams.

MOTION: Mr. Sheffield moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board that the City of Alexandria's amended Phase I program be found consistent with § 10.1-2109 of the Act and § VAC 10-20-60.1 and 2 of the Regulations subject to the condition that the City undertake and complete the one recommendation contained in the staff report prior to December 31, 2005.

SECOND: Mr. Duncanson.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Ms. Mackey presented the following summary for the Town of Herndon. She noted that Michelle O'Hare, planner for the Town of Herndon was in attendance.

The Town of Herndon originally adopted its Phase I program in January 1991, amending it in June and October 1991. The Board found the Town's program to be consistent in June 1993. Department staff provided comments on the Town's proposed revisions on several occasions between March 2002 and September 2003. The Town Council adopted a revised ordinance on February 10, 2004 that addresses all of the required changes, including revisions to definitions, RPA designation language, site-specific RPA delineation requirements, and the requirements for a formal process for all RPA exception requests. The Town chose to administer the RPA exceptions through their Town Council. The Town took advantage of the perennial stream mapping provided by Fairfax County and adopted additional Resource Protection Area. The Town retained its jurisdiction-wide RMA and an IDA that encompasses the downtown area.

Staff recommended the local program amendments adopted by the Town of Herndon on February 10, 2004 be found consistent with the requirements of the Act and Regulations.

Ms. O'Hare expressed her appreciation to the staff.

MOTION: Mr. Duncanson moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board Town of Herndon's amended Phase 1 program be found consistent with § 10.1-2109 of the Act and § 9 VAC 10-20-60.1 and 2 of the Regulations.

SECOND: Mr. Sheffield.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Ms. Miller presented the following summary for the Town of Tappahannock. She noted that Mr. James Sydnor, Assistant Town Manager was present.

The Town of Tappahannock adopted its Phase I program on October 28, 1991 and the Board found the Town consistent on February 27, 1992.

On May 21, 2002 the Department provided the Town with specific written guidance on its ordinance, and also met with Town staff on July 18, 2002. Throughout the revision process the Department also consulted frequently with the PDC staff working on behalf of the Town. On February 10, 2003, the Tappahannock Town Council adopted a revised CBPA Overlay District.

The Department reviewed the Town's revised CBPA Overlay District and prepared a draft staff report which included four recommendations for consistency. Town staff reviewed the recommendations and advised the Department that the Town would prefer to defer the review until it had an opportunity to make the recommended revisions. The PDC provided assistance to the Town in developing revisions, and worked closely with the Department, soliciting written comments on multiple drafts. The Town's Planning Commission and Town Council held a joint public hearing on September 9, 2004, and adopted revisions to the Town's CBPA Overlay District, reflecting the draft recommendations and all subsequent Department guidance.

Tappahannock's amended Phase I program adequately addresses all required amendments and the Department has no recommendations for consistency, so staff recommends that the local program amendments adopted by the Town of Tappahannock on September 9, 2004 be found consistent with the Act and the Regulations.

Mr. Sydnor thanked the committee for the additional time to address the CBPA Overlay District revisions in conjunction with the Town's other zoning ordinance revisions.

Mr. Duncanson asked how many homes were not on the sewer system. Mr. Sydnor said there were around 100 at the most.

Mr. Davis asked if the town required mandatory sewer hookups. Mr. Sydnor replied that, if the home was within the service area, the sewer hookup was required, and Ms. Miller added that the Town had retained all the requirements related to on-site septic systems.

MOTION: Mr. Sheffield moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board that the Town of Tappahannock's Phase I program be found consistent with § 10.1-2109 of the Act and § 9VAC10-20-60.1 and 2 of the Regulations.

SECOND: Mr. Duncanson.

DICUSSION: None.

VOTE: Motion carried unanimously.

Local Program Reviews – Phase II Comprehensive Plans.

There were no Phase II Comprehensive Plans scheduled for reporting.

Local Program Reviews – Compliance Evaluation

Ms. Miller presented the following summary for Gloucester County. She noted that no one was present from the County.

The Department initiated a compliance evaluation process in Gloucester County on March 4, 2003, and on September 15, 2003 the Board found the County not fully in compliance and set a deadline of September 30, 2004 for the County to address the five recommendations in the staff report. On May 25, 2004 the Department initiated follow-up activities and met with County staff on September 1, 2004 to review changes implemented by the County to address the recommendations.

The original staff report included 5 recommendations: document submission of WQIAs for proposed activities within RPAs; review all proposed subdivisions for compliance with CBPA requirements; keep complete files on RPA exception and administrative waiver requests; develop and implement a 5-year pump-out notification and enforcement program; and, complete the development of a BMP database.

In the 12 months since the Board's initial review, the County responded to the five recommendations, addressing all but the final elements of the septic pump-out notice and tracking system. Progress on this item has been good and the County has demonstrated a commitment to completing the task through a significant investment of staff time and funds.

A summary of the County's activities follows. Septic pump-out tracking forms are now included in the County's database, and as of September 1, 2004 County staff had created 13,949 such files. The County will soon be able to generate a septic system mailing list, after eliminating properties that do not need pump-out such as the 5,000 properties served by the central sewage treatment system. The County budget includes funds for mailing the required notices, and the County is exploring operation of the pump-out notice and tracking system as a cooperative effort between the County and the local health department office. The County has also added the inspection option to their CBPA Ordinance.

While the County has made significant progress, it must complete the work required to fully meet the recommendation. So the Condition Review Staff Report only includes one recommendation:

1. The County must complete the development and implementation of a 5-year pump-out notification and enforcement program by June 30, 2005 for compliance with Section 9VAC 10-20-120.7.

The County's accomplishments are especially noteworthy given the extended impacts of Hurricane Isabel and a 3-month vacancy in a key staff position. Department staff will continue to work closely with County staff to address the remaining compliance item in the report.

Staff recommends that the Chesapeake Bay Local Assistance Board find the County's Phase I program not fully compliant, and direct the County to complete the recommendation in this staff report no later than June 30, 2005.

Mr. Davis noted that it appeared the County was progressing rapidly and appeared to be making substantial progress.

MOTION: Mr. Sheffield moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board that certain aspects of Gloucester County's Phase I program implementation do not fully comply with §§ 10.1-2109 and 2111 of the Act and §§ 9VAC 10-20-231 and 250 of the Regulations, and further that Gloucester County undertake and complete the recommendation in the staff report no later than June 30, 2005.

SECOND: Mr. Duncanson.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Ms. Smith presented the following summary for Caroline County. She noted that Matt Stafford, Planning Director for the County was present.

The compliance evaluation process for Caroline County was begun late last year. Three meetings were held with County staff, on December 11, 2003, January 8, 2004 and January 12, 2004. These meetings helped to complete the Checklist, review site plan files, and conduct site visits. She noted that the delay in bringing the review before this committee is due to staff departure.

The report summarizes the findings of the compliance evaluation, checklists, site plan reviews and field investigations, noting that, in general, the County is enforcing the requirements of its Bay Act program in an appropriate manner. General development activities in the County are outlined, with residential development occurring the most in the County as pressure from the north increases. Site plans reviews and field visits included a large master planned subdivision, a

shoreline erosion control project and a sports complex. The County's amended Bay Act program was found consistent by the Board at the March meeting.

Based on the compliance evaluation process, the Department has six recommendations for full compliance, one relating to development of an organized BMP tracking and maintenance program and another to consistent implementation and enforcement of the septic pump-out requirement. The County has not been proactive about tracking and maintaining required BMPs and septic pump-outs. The County has a tracking system for BMPs, but needs to ensure that maintenance is performed on existing BMPs through inspections and that the tracking system is kept up to date. Two other recommendations relate to stormwater management BMPs; one to ensure that all BMP designs, siting criteria and removal efficiencies comply with the standards in the Virginia Stormwater Management Handbook, and the other for the County to prohibit the use of natural wetlands as locations for BMPs as well as to discontinue allowing for further pollutant removal credits for use of natural wetlands as BMPs. An additional recommendation relates to ensuring that all site plats show the site-specific RPA limits and never show reductions in the site-specific RPA limits, even when permitted encroachments are present. The county had previously shown the RPA as reduced in width when permitted encroachment such as single-family homes were approved. The final recommendation relates to documentation that WQIAs are submitted and approved for any proposed land disturbance, development or redevelopment in RPAs. The County has generally required site plans with WQIA elements for the larger scale developments, but does not appear to specifically require WQIAs for smaller projects in the RPA. Division staff will work with the County to develop WQIAs for smaller scale projects to address this recommendation. All recommendations for full compliance are to be addressed no later than December 31, 2005 and the County has indicated its willingness to address them.

Mr. Sheffield asked Mr. Stafford about Oxborne Lake on the Rappahannock. Mr. Stafford said that a homeowner had desired to install a bulkhead and cut the slope back. He noted that there were problems along that entire stretch of shoreline.

Mr. Stafford said that the County is trying to work with the property owners' association to discuss options.

Mr. Crafton asked Ms. Little if any grant monies could possibly help with this project. Ms. Little noted that there were none at this time, but there possibly could be with the next grant cycle.

Mr. Stafford expressed appreciation to the staff for their assistance. He said that the County has concerns about the implementation of a five-year septic pump out requirement due to concerns about funding and staff issues.

MOTION: Mr. Duncanson moved that the Northern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board find that certain aspects of Caroline County's implementation of its Phase I program do not fully comply with §§ 10.1-2109 and 2111 of the Act and §§9 VAC 10-20-231 and 250 of the Regulations and further that Caroline County undertake and complete the six recommendations contained in the

staff report no later than December 31, 2005 with an interim report provided to the Board by June 30, 2005.

SECOND: Mr. Sheffield.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Ms. Mackey presented the summary for Prince William County. She noted that Mr. Wade Hugh, Chief of the Watershed Management Branch of the Department of Public Works Environmental Services Division was present to provide an update on the County's progress on the two compliance evaluation conditions with a deadline of December 31, 2004 and perhaps on several of the compliance evaluation conditions and Phase I ordinance review conditions with deadlines of December 31, 2005. The later deadline was selected for those conditions that entailed ordinance changes, while the earlier date was selected for those conditions that the Department staff believed were important enough to warrant a tighter turn-around time. Ms. Mackey noted that Ms. Kim Hosen with the Prince William Conservation Alliance was also present.

At last month's Board meeting, Prince William County was given a December 31, 2004 deadline for two conditions following their compliance evaluation: the first is to ensure that the placement of BMPs in the RPA either complies with all criteria enumerated in the Regulations or is reviewed and approved as a formal exception. These criteria include the requirement that the facility being considered for placement in the RPA be consistent with a Board approved stormwater management program for the County. Prince William County has not requested Board review and approval of a stormwater management program and the Design Control Standards Manual currently permits placement of BMPs in the RPA at the discretion of the Director of the Department of Public Works. The County is not being told to develop a County-wide stormwater management program by December 31, 2004, but rather to cease administrative approval of BMPs in the RPA.

The second condition with a December 31, 2004 deadline required the County to revise its Vesting/Grandfathering Guidelines for the Applicability of the Amended Chesapeake Bay Regulations on Development Plans to be consistent with the Code of Virginia regarding the vesting of rights. Investigation of a citizen complaint raised the Department's awareness of the County's vesting policy, particularly in terms of the vesting of Preservation Area Site Assessment studies done consistent with the old regulations using the USGS maps for tributary streams rather than site-specific delineations of water bodies with perennial flow. This came at a time when Department staff was already considering vesting questions from several other jurisdictions. After some discussion, staff had concerns about the County's vesting policy, which were outlined in a letter to Mr. Uwe Kirste on June 2, 2004. That letter, written in consultation with the Attorney General's office, cited the Code of Virginia, previous Attorney's General opinions and the rationale behind Departmental concerns as well as specific recommended changes to the County policy that if undertaken, should bring the County into

compliance with the Code of Virginia. This Committee asked County staff at its August 2004 meeting about the extent to which the vesting of PASAs approved under the old Regulations was an issue, and although County staff stated at that time that the information was available, it has not been provided to the Department. At the September Board meeting, County staff promised to respond in writing to the Department's concerns by October 1, 2004, and although several discussions have occurred on the staff level, to date nothing has been received.

Mr. Hugh presented the following Program Evaluation Timetable for Prince William County:

Compliance Issue	Description	Target Completion Date
1	Revise Section 802.33 of the DSCM to prohibit encroachment into the RPA (up to ten feet) without penalty	April 2005
2	Continue to follow the DCR Corrective Action Agreement to completion by the respective deadlines.	September 2005
3	Resume notification of property owners on a quarterly basis of the mandatory 5-year septic pump requirement.	April 2005
4	Ensure placement of BMPs in the RPA complies with all criteria enumerated in §9 VAC 10-20-130.1.e, or is reviewed and approved as an exception under §9 VAC 10-20-150.C.	December 2005
5	<ul style="list-style-type: none"> ▪ Annual notify property owners with BMPs of their responsibility to maintain and inspect the facilities, prior to the June 30 deadline. ▪ Replace the acronyms BMP and SWM in Sections 720-722 of the DCSM with the terms "stormwater quality" and "stormwater quantity," respectively. 	Pond Notification December 2004 DCSM Update – April 2005
6	Revise the <u>Vesting/Grandfathering Guidelines for the Applicability of the Amended Chesapeake Bay Regulations on Development Plans</u> to be consistent with Section 15.2-2261 and 2307 of the Code of Virginia.	December 2004
7	Revise the DCSM to reference <u>Riparian Buffers Modifications and Mitigation Manual</u> when developing revegetation and vegetative planting requirements for RPA buffer mitigation.	April 2005
8	Cross-reference or incorporate the conditions for utility exemptions into the PWCSA Utility	January 2005

	Standards Manual.	
9	Revise Section 742.02.D of the DCSM to require the minimum 100-foot RPA.	April 2005

Mr. Hugh presented the following chart regarding Prince William County's Erosion and Sediment Control Program:

Program Component	Corrective Action	Completion Deadline	Completion As of 10/12/04
Administration	ESC Ordinance will be revised as outlined I Sec. III. Part C. No. 5, on page 6 of the Program Review Results Report	Done	Done
	All County staff who conduct ESC inspections will be certified according to the requirements of VESCR 4VAC50-50	12/1/2004	6/1/2004
Plan Review	Plans will consistently address off-site or critical areas.	8/1/2004	Done
	All single-family home plans will include a statement that all erosion & sediment controls will be constructed and maintained according to the VESCH or more stringent local standards at a minimum (in lieu of site specific detail drawings and maintenance instructions.	Done	Done
	Requests for variances will always be received in writing and responded to in writing, in accordance with VESCR 4VAC50-30-50	Done	Done
Inspection	Inspections will be conducted during or immediately following initial installation of erosion & sediment controls.	Done	Done
	All sites will be inspected at the minimum frequency required by the VESCR, unless the County has a VA SCWB approved Alternative Inspection Program.	11/1/2004	Additional inspections requested as part of the FY06 budget 7/1/2005

	All inspections will be documented. <ul style="list-style-type: none"> ▪ Reports/log entries will include any violations, deadlines for correcting violations, and charges and/or maintenance that are required. ▪ If there are no problems noted at the site, an inspection report or inspection log will still be filled out, reflecting this. 	9/1/2004	Done
		8/1/2004	Done
	Erosion & sediment controls will be maintained in accordance with the VESCH or more stringent local standards	11/1/2004	
Enforcement	The County will pursue enforcement actions at increasingly greater levels of severity until all violations are resolved in a timely manner.	9/1/2004	Done
	All enforcement notifications will contain specific measures or corrections that need to be made.	9/1/2004	Done

No action was required for Prince William County.

Other Business

Mr. Davis called for public comment.

Ms. Kim Hosen of the Prince William Conservation Alliance said that from her perspective it was interesting hearing Mr. Stafford address some of Caroline County's restraints noting there were similar issues in Prince William. She said that she believed the Board could have a positive influence with regard to how things move at the local level.

She noted an interest in the regional pond conflicts. She said there was an inconsistency in the DCSM. She noted that regional ponds are not allowed except where a management plan has been completed, but that this is not happening.

Ms. Hosen stated that she has found developers reasonably responsive to making contributions to improve watershed conditions. She cited an example of work done at Lake Manassas.

She stated that she believed more work needed to be done to bring these matters to the attention of the Board of Supervisors. She said that the creeks and streams in Prince William County are in a declining situation.

She stated that she felt the County is missing an opportunity to correct the ordinances. She said that the Prince William Conservation Alliance believes that the ordinances should all be under the zoning ordinances and noted that there were conflicts between the regulations and the references.

She said she believed that Prince William County would benefit from clear direction from the state.

Mr. Davis thanked Ms. Hosen for her comments.

Mr. Davis informed Board Members that following the September 20 Board Meeting, Mr. Jody Hollingsworth of the City of Poquoson had passed away.

Mr. Sheffield asked about the status of Fredericksburg. Ms. Smith said that she would be contacting them this week and find out the status.

Mr. Sheffield stated that he believed that the Board needed to follow up with Mr. Chaffe regarding the issue with Lancaster County. He said he believed it was time for the Board to act so that the representatives from Lancaster County would recognize the seriousness of this matter.

Mr. Crafton noted that staff is preparing information for Mr. Chaffe based on an outline he provided for putting cases together. That is almost complete. Mr. Chaffe is waiting for that information and then staff will meet with him. He will in turn need to send the matter to the Attorney General or a Deputy to give the authority to move forward.

Mr. Sheffield asked if Mr. Chaffe could be asked to provide an update at the Board retreat.

Mr. Duncanson noted that the pump out issue keeps coming up. He said that he thought this was more of a rural issue, but that it appears to be urban as well. He noted that he didn't believe the issue was capacity because, in his view, there are sufficient places to legally dispose of septage.

Ms. Little noted that the City of Portsmouth has no problem with this issue. They have a working agreement with the local Health Department. Also a lot of grants have been given to develop these plans. She noted that staff could prepare a report of grants given.

Mr. Davis noted that would be interesting to see if grants have been given and work has not been completed.

Mr. Crafton said that as Tributary Strategies are divulged there will be some astounding numbers on the non-point side that need to be achieved to meet goals by 2010. Septic systems are on that list.

Ms. Miller offered an update on King William County's recent progress in adopting Phase I revisions, since the County has been found inconsistent and is among those localities that the Board recently authorized the Director to forward to the Attorney General's Office. She noted

that action regarding King William was taken at the Board's September meeting. Since that time, the planning commission met on October 18, held a public hearing, and has recommended approval of that draft and forwarded it to the County Board. A public hearing may then be scheduled for November 22.

Ms. Miller advised that the County is on schedule so far, staying apace with the tasks and timing included in their August letter to the Department. She also noted that the planning department staff lost three persons within the past year, which partly accounts for the County's difficulties in completing adoption of the required revisions. This remark concluded her update and the Committee's discussion regarding King William County.

Mr. Sheffield said that looking at the 84 localities, he wondered what percentage of Virginia's problem with the Bay Act comes from those localities as opposed to those from the west.

Mr. Davis noted that the JLARC report addressed some of those issues.

Ms. Little said the report addressed TMDLs. There were fewer in the Bay area.

Mr. Crafton said the tributary strategy report will be somewhat reflective of where the loads are. That is still in the development stage, but should be published by the end of the year.

Mr. Sheffield noted that H. Smith McCann a former member of the Board from the Fredericksburg area passed away recently.

Mr. Duncanson moved that the meeting be adjourned. Mr. Sheffield seconded.

Mr. Davis thanked members for their comments and the meeting was adjourned.